

MINUTES
CITY COUNCIL MEETING
APRIL 27, 2004

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:42 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR PRO TEM ADDLEMAN.

PLEDGE OF ALLEGIANCE

MAYOR PRO TEM ADDLEMAN led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

City Council Members Present: Addleman, Seamans, Zerunyan, Zuckerman

City Council Member Absent: Mitchell

City Staff Present: City Manager Doug Prichard

City Attorney Richard Terzian

Planning Director David Wahba

Community Services Director Andy Clark

Finance Director Jud Norrell

Administrative Analyst Greg Grammer

Others Present: Pat Killen, Planning Commission

Sheri Clewis, Park and Activities Commission

CEREMONIAL ITEMS

A. BFI DRAWING FOR ONE YEAR'S FREE RESIDENTIAL REFUSE SERVICE

Barbara Zwart, Recycling Coordinator, BFI, drew the name of H. Moseley on Sorrell Lane, as the recipient of one year's free disposal service.

B. PROCLAMATION

COUNCILMAN ZERUNYAN reminded everyone that April 24 is the day of remembrance of the Armenian Genocide of 1915-1923. He provided an extensive history of how this tragedy occurred and how much it means to other cultures, as well as Armenians, not to ever suffer these types of atrocities again. He also emphasized that constant vigilance must be maintained in order to prevent similar bloodshed in the future.

MAYOR PRO TEM ADDLEMAN then read the proclamation and presented it to Lori Khajadourian, South Bay Chapter of the Armenian National Committee.

Ms. Khajadourian spoke on behalf of her committee stating it was an honor to accept this proclamation and was pleased to see a governing body share the same concerns. She thanked the COUNCIL for this special recognition.

At 7:55 p.m., MAYOR PRO TEM ADDLEMAN called for a brief recess.

At 7:57 p.m., the CITY COUNCIL reconvened with MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN present.

ROUTINE MATTERS

A. DEMANDS AND WARRANTS – MONTH OF APRIL

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE WARRANTS 35339 THROUGH 35393 FOR A GRAND TOTAL AMOUNT OF \$185,958.43 WITH PROPER AUDIT.

AYES: Addleman, Seamans, Zerunyan, Zuckerman

ABSENT: Mitchell

CONSENT CALENDAR

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO APPROVE ITEMS A-G.

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. PLANNING APPLICATION NO. 39-00; APPLICANT: CREST ROAD HOMES LLC (THE LEE GROUP); LOCATION: PEPPER TREE LANE (NORTHEAST CORNER OF HAWTHORNE BOULEVARD AND CREST ROAD)

Recommendation: That the City Council: 1) Release the following bonds: walls and fences, grading, storm drain, sewer, and landscape; and 2) Direct the applicant to renew the street bond in the same amount of \$80,000 for an additional year.

RELEASED BONDS FOR WALLS AND FENCES, GRADING, STORM DRAIN, SEWER, AND LANDSCAPE AND DIRECTED THE APPLICANT TO RENEW THE STREET BOND IN THE SAME AMOUNT OF \$80,000 FOR AN ADDITIONAL YEAR.

C. MARCH 2004 SCHEDULE OF INVESTMENTS

Recommendation: That the City Council receive and file the Schedule of Investments Report for the month of March, 2004.

RECEIVED AND FILED.

D. QUARTERLY CODE ENFORCEMENT REPORT

Recommendation: That the City Council receive and file this report.

RECEIVED AND FILED.

E. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED APRIL 9, 2004

RECEIVED AND FILED.

F. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED APRIL 16, 2004

RECEIVED AND FILED.

G. PALOS VERDES PENINSULA CHAMBER OF COMMERCE – FIRST QUARTER 2004

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR PRO TEM ADDLEMAN SO ORDERED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

NONE

PUBLIC HEARINGS/MEETINGS

NONE

At 7:57 p.m. the CITY COUNCIL convened in closed session. At 9:14 p.m., the CITY COUNCIL reconvened in open session with MAYOR PRO TEM ADDLEMAN, COUNCILWOMAN SEAMANS, COUNCILMAN ZERUNYAN and COUNCILMAN ZUCKERMAN in attendance.

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION

Pursuant to Government Code Section 54956.9(b)(11) there is a significant exposure to litigation based upon a written communication from a potential plaintiff threatening litigation.

MAYOR PRO TEM ADDLEMAN announced the COUNCIL'S intention

TO DIRECT STAFF TO SCHEDULE A PUBLIC HEARING ON MONDAY, MAY 24, 2004 FOR THE PURPOSE OF CONSIDERING THE APPLICATION FOR EXPANSION OF THE ROLLING HILLS COVENANT CHURCH.

NEW BUSINESS

A. PLANNING COMMISSION MINUTES OF APRIL 19, 2004

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ZUCKERMAN

TO RECEIVE AND FILE THE PLANNING COMMISSION MINUTES OF APRIL 19, 2004.

THERE BEING NO OBJECTION, MAYOR PRO TEM ADDLEMAN SO ORDERED.

B. PARK AND ACTIVITIES COMMISSION MINUTES OF APRIL 20, 2004

COUNCILMAN ZERUNYAN moved, seconded by COUNCILMAN ZUCKERMAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF APRIL 20, 2004.

THERE BEING NO OBJECTION, MAYOR PRO TEM ADDLEMAN SO ORDERED.

ADJOURNED TO PEPPER TREE FOUNDATION CORPORATION MEETING AT 9:15 P.M.

C. PEPPER TREE FOUNDATION ANNUAL REPORT

Recommendation: That the City Council receive and file the Pepper Tree Fund Statement of Fund Balance by Category for the year ended October 31, 2003.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZERUNYAN

TO RECEIVE AND FILE THE PEPPER TREE FUND STATEMENT OF FUND BALANCE BY CATEGORY FOR THE YEAR ENDED OCTOBER 31, 2003.

AYES: Addleman, Seamans, Zerunyan, Zuckerman

ABSENT: Mitchell

RECONVENED CITY COUNCIL MEETING AT 9:16 P.M.

E. AMENDMENT TO EXTEND BFI FRANCHISE AGREEMENT BY AN ADDITIONAL THREE MONTHS
(Taken out of order)

Recommendation: That the City Council approve the amendment to extend the rubbish collection and recycling franchise between the City and Browning-Ferris Industries for an additional three months, term ending March 31, 2005.

Administrative Analyst Grammer provided a staff report (as per agenda material).

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE THE AMENDMENT TO EXTEND THE RUBBISH COLLECTION AND RECYCLING FRANCHISE BETWEEN THE CITY AND BROWNING-FERRIS INDUSTRIES FOR AN ADDITIONAL THREE MONTHS, TERM ENDING MARCH 31, 2005.

AYES: Addleman, Seamans, Zerunyan, Zuckerman

ABSENT: Mitchell

D. BUDGET AMENDMENT NO. 2

Recommendation: That the City Council approve Budget Amendment No. 2 to adjust estimated revenues and appropriations of the City's fiscal year 2003-04 operating and capital projects budget.

Finance Director Norrell provided a staff report (as per agenda material).

COUNCILMAN ZERUNYAN inquired if the budget will accurately address the projected deficit. He also questioned whether or not the anticipated projects funding would be realized.

Planning Director Wahba indicated that there are now five mixed use projects being considered; two of which should be going before the Planning Commission and COUNCIL prior to the end of the fiscal year. Other projects mentioned were the draft revision to the mixed-use overlay zone as well as continuing to work on the master plan and

environmental impact report. Additionally, he suggested deferring the scope of services from Impact Sciences.

Finance Director Norrell stated he will submit Budget Amendment No. 3 with the likelihood of the deficit increasing. He noted that anticipated planning revenues this year will be deferred to fiscal year 2004-05 and believed the City should be in relatively good shape at that time.

Planning Director Wahba noted that the next fiscal year should see a surge of funds coming in from various building projects.

Finance Director Norrell mentioned that he had met with Planning Director Wahba in an effort to review revenues versus expenditures related to planning for 2004-05.

Planning Director Wahba requested clarification on the scope of services from Impact Sciences' on the environmental work, master plan and housing element.

COUNCILMAN ZERUNYAN noted his concern with how the budget is taking shape as it was his belief that it should be closely scrutinized.

COUNCILWOMAN SEAMANS commented that it is a difficult time between what the State will do and how it will affect cities, but stated that the budget is a plan not always set in concrete and the City may need to be flexible in the future.

COUNCILMAN ZUCKERMAN responded to COUNCILMAN ZERUNYAN'S comments noting that the budget is an implied commitment, and if something was amiss, he would be the first to express his concerns.

Finance Director Norrell stated that this is precisely the reason that the City prepares a two-year budget.

COUNCILMAN ZUCKERMAN commented that planning activities are critical to the budget and are the least predictable.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILMAN ZUCKERMAN

TO APPROVE BUDGET AMENDMENT NO. 2 TO ADJUST ESTIMATED REVENUES AND APPROPRIATIONS OF THE CITY'S FISCAL YEAR 2003-04 OPERATING AND CAPITAL PROJECTS BUDGET.

THERE BEING NO OBJECTION, MAYOR PRO TEM ADDLEMAN SO ORDERED.

F. SECOND AMENDMENT AGREEMENT WITH MUNICIPAL STABLES MANURE REMOVAL SERVICES CONTRACTOR

Recommendation: That the City Council approve the Second Amendment to the Agreement for Services with Scott Hill, doing business as Seahorse Riding Club, to reduce the manure removal services rate from \$3,250 to \$2,400 per month.

Community Services Director Clark provided a staff report (as per agenda material). He then commended Equestrian Supervisor Fitton on her continued diligence in exploring ways to reduce the cost for this service. The COUNCIL concurred with these comments and thanked her for her efforts.

COUNCILMAN ZERUNYAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE SECOND AMENDMENT TO THE AGREEMENT FOR SERVICES WITH SCOTT HILL, DOING BUSINESS AS SEAHORSE RIDING CLUB, TO REDUCE THE MANURE REMOVAL SERVICES RATE FROM \$3,250 TO \$2,400 PER MONTH.

AYES: Addleman, Seamans, Zerunyan, Zuckerman

ABSENT: Mitchell

OLD BUSINESS

NONE

CITY ATTORNEY ITEMS

NONE

CITY COUNCIL/REGIONAL COMMITTEE REPORTS: This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendized.

NONE

MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendized for future consideration and/or make announcements of interest to the public.

A. APPOINTMENT OF PARK AND ACTIVITIES COMMISSIONER

MAYOR PRO TEM ADDLEMAN commented that there were five excellent candidates. He noted his preference to confer with MAYOR MITCHELL prior to making an appointment and deferred this item to the meeting of May 11, 2004.

ADJOURNMENT

At 9:37 p.m., MAYOR PRO TEM ADDLEMAN formally adjourned the City Council meeting to Tuesday, May 11, 2004 at 7:30 p.m.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard

Deputy City Clerk City Clerk